



01-08-06

IFN 2623  
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To:

United States Patent and Trademark Office  
Customer Service Window, Mail Stop AF  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Re:

Application No: 10/084,572  
Applicants: KAMINSKY, ET AL.  
Examiner: Clyde H. Jones III  
Art Unit 2623  
Response to Office Action Mailed 10/11/2006

To: Mr. Clyde H Jones III:

I write in response to the final office action (Mailed 10/11/2006) on application number 10/084,572, art unit 2623, entitled "Methods, Systems and Program Products for Tracking Information Distribution", with inventors David Louis Kaminsky and David Mark Ogle. In light of the following discussion of Kirsch and its relationship to our invention, we respectfully request reconsideration of our claims as amended below to address Kirsch.

In making this request, we note MPEP 706.07 Final Rejection [R-3] - 700 Examination of Applications ([http://www.uspto.gov/web/offices/pac/mpep/documents/0700\\_706\\_07.htm](http://www.uspto.gov/web/offices/pac/mpep/documents/0700_706_07.htm)):

While the rules no longer give to an applicant the right to "amend as often as the examiner presents new references or reasons for rejection," present practice does not sanction hasty and ill-considered final rejections. The applicant who is seeking to define his or her invention in claims that will give him or her the patent protection to which he or she is justly entitled should receive the cooperation of the examiner to that end, and not be prematurely cut off in the prosecution of his or her application. But the applicant who dallies in the prosecution of his or her application, resorting to technical or other obvious subterfuges in order to keep the application pending before the primary examiner, can no longer find a refuge in the rules to ward off a final rejection.

With that background, we respectfully request the opportunity refine our claims to address the new art cited in the final action, Kirsch, US 2005/0125416 A1, as we attempt